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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,337	12/29/2000	Michael E. Carroll	LOT9-2000-0032	8657
21127	7590	05/20/2005	EXAMINER	
KUDIRKA & JOBSE, LLP ONE STATE STREET SUITE 800 BOSTON, MA 02109			VU, KIEU D	
		ART UNIT		PAPER NUMBER
				2173

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/752,337	CARROLL, MICHAEL E.	
	Examiner	Art Unit	
	Kieu D Vu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 January 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2-6,9-12 and 15-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 2-6,9-12 and 15-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-6, 9-12, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al ("Liu", USP 5706449) and DeHoogh et al ("DeHoogh", US 2002/0045887).

Regarding claims 2, 9, and 15, Liu teaches, in a system having a user interface (abstract) capable of displaying a plurality of data items (Fig. 14) and receiving user commands (Fig. 15a-15d), a method comprising receiving, through the user interface, a command to swap ("Swap" in pop-up menu 64) a first displayed data item ("Network" column) with a second displayed data item ("Node" column); obtaining data identifying the first displayed data item (column whose heading was clicked) and the second displayed data item (desired column in the list control 46); and swapping the first displayed data item with the second displayed data item (col 7, lines 10-17). Liu does not teach directional command identifying a relative direction of a position of the second displayed data item to a position of the first displayed data item. However, this feature is well known in the art as taught by DeHoogh. In DeHoogh system, after user depresses Swap button 112 on the touch screen (see Fig. 6), the system receives directional command identifying a relative direction of a position of the second data item to a

position of the first data item (see [0035]). It would have been obvious to one of ordinary skill in the art, having the teaching of Liu and DeHoogh before him at the time the invention was made, to modify the interface method taught by Liu to include DeHoogh's directional command teaching with the motivation being to enable the system to perform swap operation based on direction of data item.

Regarding claim 3, DeHoogh teaches the directional commands ([0035]).

Regarding claims 4, 10, and 16, Liu teaches that the first displayed data item and the second displayed data item have similar respective data types (alphanumeric).

Regarding claims 5-6, 11-12, and 17-18, Liu teaches, in a system having a user interface (abstract) capable of displaying a plurality of data items (Fig. 14) and receiving user commands (Fig. 15a-15d)), a method comprising receiving, through the user interface, a command to swap ("Swap" in pop-up menu 64) a first displayed data item ("Network" column) with a second displayed data item ("Node" column); obtaining data identifying the first displayed data item (column whose heading was clicked) and the second displayed data item (desired column in the list control 46); and swapping the first displayed data item with the second displayed data item (col 7, lines 10-17). Liu does not teach the defining relative position of displayed data item to an icon. However, such feature is well known in the art as taught by DeHoogh. In DeHoogh system, after user depresses Swap button 112 on the touch screen (see Fig. 6), the system receives data defining a position of an icon (directional switch 56a, 58b) ([0035]) to data item. It would have been obvious to one of ordinary skill in the art, having the teaching of Liu and DeHoogh before him at the time the invention was made, to modify the interface

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method taught by Liu to include generating directional icons taught by DeHoogh with the motivation being to enable the user to quickly and conveniently locate the displayed data items.

4. Applicant's arguments filed on 01/24/05 are moot under new ground of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232).

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306

and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

Patent Examiner

